LEADING ARTICLES—AUTHOR INDEX

ALEINIKOFF, T. ALEXANDER & SHAW, THEODORE M.: *The Costs of Incoherence: A Comment on Plain Meaning,* West Virginia University Hospitals, Inc. v. Casey, *and Due Process of Statutory Interpretation* 687

COENEN, DAN T.: *Priorities In Accounts: The Crazy Quilt of Current Law and a Proposal for Reform* 1061

DREYFUSS, ROCHELLE COOPER & NELKIN, DOROTHY: *The Jurisprudence of Genetics* 313

ESKRIDGE, WILLIAM N., JR. & FRICKEY, PHILIP P.: *Quasi-Constitutional Law: Clear Statement Rules as Constitutional Lawmaking* 593

EVANS, THOMAS L.: *The Taxation of Nonshareholder Contributions to Capital: An Economic Analysis* 1457

FARBER, DANIEL A.: *The Inevitability of Practical Reason: Statutes, Formalism, and the Rule of Law* 533

FRIEDMAN, BARRY: *Habeas and Hubris* 797

GABALDON, THERESA A.: *The Lemonade Stand: Feminist and Other Reflections on the Limited Liability of Corporate Shareholders* 1387

HUGHES, GRAHAM: *Agreements for Cooperation in Criminal Cases* 1

JONES, D. MARVIN: *The Death of the Employer: Image, Text, and Title VII* 349

KANOVITZ, JACQUELINE: *Hypnotic Memories and Civil Sexual Abuse Trials* 1185

KEATING, DANIEL: *Offensive Uses of the Bankruptcy Stay* 71

KRENT, HAROLD J.: *Reconceptualizing Sovereign Immunity* 1529

MACEY, JONATHAN R. & MILLER, GEOFFREY P.: *The Canons of Statutory Construction and Judicial Preference* 593

MARSHALL, LAWRENCE C.: *The Canons of Statutory Construction and Judicial Constraints: A Response to Macey and Miller* 673

MITCHELL, LAWRENCE E.: *A Critical Look at Corporate Governance* 1263

RASMUSSEN, ROBERT K.: *Coalition Formation and the Presumption of Reviewability: A Response to Rodriguez* 779

RODRIGUEZ, DANIEL B.: *The Presumption of Reviewability: A Study in Canonical Construction and Its Consequences* 743

ROSS, STEPHEN F.: *Where Have You Gone, Karl Llewellyn? Should Congress Turn Its Lonely Eyes to You?* 561

RUBIN, EDWARD L.: *Modern Statutes, Loose Canons, and the Limits of Practical Reason: A Response to Farber and Ross* 579

SCHAUER, FREDERICK: *The Practice and Problems of Plain Meaning: A Response* 715

STAKE, JEFFREY EVANS: *Mandatory Planning for Divorce* 397

STERK, STEWART E.: *Competition Among Municipalities as a Constraint on Land Use Exactions* 831

LEADING ARTICLES—TITLE INDEX

AGREEMENTS FOR COOPERATION IN CRIMINAL CASES: *Graham Hughes* 1

THE CANONS OF STATUTORY CONSTRUCTION AND JUDICIAL CONSTRAINTS: A RESPONSE TO MACEY AND MILLER: *Lawrence C. Marshall* 673

THE CANONS OF STATUTORY CONSTRUCTION AND JUDICIAL PREFERENCES: *Jonathan R. Macey & Geoffrey P. Miller* 647

COALITION FORMATION AND THE PRESUMPTION OF REVIEWABILITY: A RESPONSE TO RODRIGUEZ: *Robert K. Rasmussen* 779

COMPETITION AMONG MUNICIPALITIES AS A CONSTRAINT ON LAND USE EXACTIONS: *Stewart E. Sterk* 831
THE COSTS OF INCOHERENCE: A COMMENT ON PLAIN MEANING, WEST VIRGINIA UNIVERSITY HOSPITALS, INC. V. CASEY, AND DUE PROCESS OF STATUTORY INTERPRETATION: *T. Alexander Aleinikoff & Theodore M. Shaw* 687
A CRITICAL LOOK AT CORPORATE GOVERNANCE: *Lawrence E. Mitchell* 1263
THE DEATH OF THE EMPLOYER: IMAGE, TEXT, AND TITLE VII: *D. Marvin Jones* 349
HABEAS AND HUBRIS: *Barry Friedman* 797
HYPNOTIC MEMORIES AND CIVIL SEXUAL ABUSE TRIALS: *Jacqueline Kanovitz* 1185
THE INEVITABILITY OF PRACTICAL REASON: STATUTES, FORMALISM, AND THE RULE OF LAW: *Daniel A. Farber* 533
THE JURISPRUDENCE OF GENETICS: *Rochelle Cooper Dreyfuss & Dorothy Nelkin* 313
THE LEMONADE STAND: FEMINIST AND OTHER REFLECTIONS ON THE LIMITED LIABLITY OF CORPORATE SHAREHOLDERS: *Theresa A. Gabaldon* 1387
MANDATORY PLANNING FOR DIVORCE: *Jeffrey Evans Stake* 397
MODERN STATUTES, LOOSE CANONS, AND THE LIMITS OF PRACTICAL REASON: A RESPONSE TO FARBER AND ROSS: *Edward L. Rubin* 579
OFFENSIVE USES OF THE BANKRUPTCY STAY: *Daniel Keating* 71
THE PRACTICE AND PROBLEMS OF PLAIN MEANING: A RESPONSE: *Frederick Schauer* 715
THE PRESUMPTION OF REVIEWABILITY: A STUDY IN CANONICAL CONSTRUCTION AND ITS CONSEQUENCES: *Daniel B. Rodriguez* 743
PRIORITIES IN ACCOUNTS: THE CRAZY QUILT OF CURRENT LAW AND A PROPOSAL FOR REFORM: *Dan T. Coenen* 1061
QUASI-CONSTITUTIONAL LAW: CLEAR STATEMENT RULES AS CONSTITUTIONAL LAWMAKING: *William N. Eskridge, Jr. & Philip P. Frickey* 593
RECONCEPTUALIZING SOVEREIGN IMMUNITY: *Harold J. Krent* 1529
THE TAXATION OF NONSHAREHOLDER CONTRIBUTIONS TO CAPITAL: AN ECONOMIC ANALYSIS: *Thomas L. Evans* 1457
WHERE HAVE YOU GONE, KARL LLEWELLYN? SHOULD CONGRESS TURN ITS LONELY EYES TO YOU?: *Stephen F. Ross* 561

SYMPOSIUM

A REEVALUATION OF THE CANONS OF STATUTORY INTERPRETATION 529

SPECIAL PROJECT

CARING FOR THE NATION—CURRENT ISSUES IN HEALTH CARE REFORM 869

NOTES—AUTHOR INDEX

ANILLO, ALVARO IGNACIO: *The National Endowment for The Humanities: Control of Funding Versus Academic Freedom* 455
BANKS, JONATHAN: *State Constitutional Analyses of Public School Finance Reform Cases: Myth or Methodology?* 129
BOWLES, L. ELIZABETH: *The Disfranchisement of Fertile Women in Clinical Trials: The Legal Ramifications of and Solutions for Rectifying the Knowledge Gap* 877
DANEKER, MICHAEL D.: *Medicaid, State Cost-Containment Measures, and Section 1983 Provider Actions Under* Wilder v. Virginia Hospital Association 487

FRIEDMAN, MICHAEL CAMERON: *Cruel and Unusual Punishment in the Provision of Prison Medical Care: Challenging the Deliberate Indifference Standard* 921
HEIDELBERG, C. MAISON: *Closing the Book on the School Trust Lands* 1581
MURPHY, SHARON M.: *The "Sudden and Accidental" Exception to the Pollution Exclusion Clause in Comprehensive General Liability Insurance Policies: The Gordian Knot of Environmental Liability* 161
NICCOLINI, ROBERT R.: *The Voidability of Actions Taken in Violation of the Automatic Stay: Application of the Information-Forcing Paradigm* 1663
OBERLANDER, MICHAEL IRA: *The* Payne *of Allowing Victim Impact Statements at Capital Sentencing Hearings* 1621
RAMAGE, WAYNE EDWARD: *The Pariah Patient: The Lack of Funding for Mental Health Care* 951
ROBINSON, ERIC LAMOND: *The Oregon Basic Health Services Act: A Model for State Reform?* 977
VERNIA, BENJAMIN JAMES: *The Burden of Proving Competence to Stand Trial: Due Process and the Limits of Adversarial Justice* 199

NOTES—TITLE INDEX

THE BURDEN OF PROVING COMPETENCE TO STAND TRIAL: DUE PROCESS AT THE LIMITS OF ADVERSARIAL JUSTICE: *Benjamin James Vernia* 199
CLOSING THE BOOK ON SCHOOL TRUST LANDS: *C. Maison Heidelberg* 1581
CRUEL AND UNUSUAL PUNISHMENT IN THE PROVISION OF PRISON MEDICAL CARE: CHALLENGING THE DELIBERATE INDIFFERENCE STANDARD: *Michael Cameron Friedman* 921
THE DISFRANCHISEMENT OF FERTILE WOMEN IN CLINICAL TRIALS: THE LEGAL RAMIFICATIONS OF AND SOLUTIONS FOR RECTIFYING THE KNOWLEDGE GAP: *L. Elizabeth Bowles* 877
MEDICAID, STATE COST-CONTAINMENT MEASURES, AND SECTION 1983 PROVIDER ACTIONS UNDER *WILDER V. VIRGINIA HOSPITAL ASSOCIATION*: *Michael D. Daneker* 487
THE NATIONAL ENDOWMENT FOR THE HUMANITIES: CONTROL OF FUNDING VERSUS ACADEMIC FREEDOM: *Alvaro Ignacio Anillo* 455
THE OREGON BASIC HEALTH SERVICES ACT: A MODEL FOR STATE REFORM?: *Eric Lamond Robinson* 977
THE PARIAH PATIENT: THE LACK OF FUNDING FOR MENTAL HEALTH CARE: *Wayne Edward Ramage* 951
THE *PAYNE* OF ALLOWING VICTIM IMPACT STATEMENTS AT CAPITAL SENTENCING HEARINGS: *Michael Ira Oberlander* 1621
STATE CONSTITUTIONAL ANALYSES OF PUBLIC SCHOOL FINANCE REFORM CASES: MYTH OR METHODOLOGY?: *Jonathan Banks* 129
THE "SUDDEN AND ACCIDENTAL" EXCEPTION TO THE POLLUTION EXCLUSION CLAUSE IN COMPREHENSIVE GENERAL LIABILITY INSURANCE POLICIES: THE GORDIAN KNOT OF ENVIRONMENTAL LIABILITY: *Sharon M. Murphy* 161
THE VOIDABILITY OF ACTIONS TAKEN IN VIOLATION OF THE AUTOMATIC STAY: APPLICATION OF THE INFORMATION-FORCING PARADIGM: *Robert R. Niccolini* 1663

RECENT DEVELOPMENTS—AUTHOR INDEX

FARDON, ZACHARY T.: Barnes v. Glen Theatre, Inc.: *Nude Dancing and the First Amendment Question* 237
MCALISTER, KRISTINE N.: *Retroactive Application of the Civil Rights Act of 1991* 1319
RICHARDSON, ELI J.: *Matching Tests for Double Jeopardy Violations with Constitutional Interests* 273
STEELE, K. DAVID: *Prospective Overruling and the Judicial Role After* James B. Beam Distilling Co. v. Georgia 1345

WRIGHT, SUSAN L.: Franklin v. Gwinnett County Public Schools: *The Supreme Court Implies a Damages Remedy for Title IX Sex Discrimination* 1367

RECENT DEVELOPMENTS—TITLE INDEX

BARNES V. GLEN THEATRE, INC.: NUDE DANCING AND THE FIRST AMENDMENT QUESTION: *Zachary T. Fardon* 237
FRANKLIN V. GWINNETT COUNTY PUBLIC SCHOOLS: THE SUPREME COURT IMPLIES A DAMAGES REMEDY FOR TITLE IX SEX DISCRIMINATION: *Susan L. Wright* 1367
MATCHING TESTS FOR DOUBLE JEOPARDY VIOLATIONS WITH CONSTITUTIONAL INTERESTS: *Eli J. Richardson* 273
PROSPECTIVE OVERRULING AND THE JUDICIAL ROLE AFTER *JAMES B. BEAM DISTILLING CO. V. GEORGIA*: *K. David Steele* 1345
RETROACTIVE APPLICATION OF THE CIVIL RIGHTS ACT OF 1991: *Kristine N. McAlister* 1319

BOOK REVIEWS—AUTHOR INDEX

L. C. BOLLINGER: IMAGES OF A FREE PRESS (Michael J. Gerhardt) 1015
J. W. ELY, JR.: THE GUARDIAN OF EVERY OTHER RIGHT: A CONSTITUTIONAL HISTORY OF PROPERTY RIGHTS (Herman Belz) 1025
L. A. POWE, JR.: THE FOURTH ESTATE AND THE CONSTITUTION: FREEDOM OF THE PRESS IN AMERICA (Michael J. Gerhardt) 1025
R. A. SMOLLA: FREE SPEECH IN AN OPEN SOCIETY (Michael J. Gerhardt) 1025

BOOK REVIEWS—REVIEWER INDEX

BELZ, HERMAN: PROPERTY AND LIBERTY RECONSIDERED: THE GUARDIAN OF EVERY OTHER RIGHT: A CONSTITUTIONAL HISTORY OF PROPERTY RIGHTS (James W. Ely, Jr.) 1015
GERHARDT, MICHAEL J.: LIBERAL VISIONS OF FREEDOM OF THE PRESS: IMAGES OF A FREE PRESS (Lee C. Bollinger); THE FOURTH ESTATE AND THE CONSTITUTION: FREEDOM OF THE PRESS IN AMERICA (Lucas A. Powe, Jr.); FREE SPEECH IN AN OPEN SOCIETY (Rodney A. Smolla) ... 1025

INDEX DIGEST

Page references followed by an asterisk (*) are to Leading Articles and Book Reviews; those followed by a dagger (†) are to Notes; those accompanied by two daggers (††) are to Recent Developments or the Special Project.

BANKRUPTCY LAW
Offensive Uses of the Bankruptcy Stay 71*
The Voidability of Actions Taken in Violation of the Automatic Stay: Application of the Information-Forcing Paradigm ..... 1663†
CIVIL RIGHTS
The Death of the Employer: Image, Text, and Title VII 349*
Franklin v. Gwinnett County Public Schools: The Supreme Court Implies a Damages Remedy for Title IX Sex Discrimination ..... 1367††
Medicaid, State Cost-Containment Measures, and Section 1983 Provider Actions Under *Wilder v. Virginia Hospital Association* ..... 487†

COMMERCIAL LAW
Offensive Uses of the Bankruptcy Stay ... 71*
Priorities in Accounts: The Crazy Quilt of Current Law and a Proposal for Reform ... 1061*
The Voidability of Actions Taken in Violation of the Automatic Stay: Application of the Information-Forcing Paradigm ... 1663†

CONSTITUTIONAL LAW
Barnes v. Glen Theatre, Inc.: Nude Dancing and the First Amendment Question ... 237††
The Burden of Proving Competence to Stand Trial: Due Process at the Limits of Adversarial Justice ... 199†
The Costs of Incoherence: A Comment on Plain Meaning, *West Virginia University Hospitals, Inc. v. Casey*, and Due Process of Statutory Interpretation ... 687*
Cruel and Unusual Punishment in the Provision of Prison Medical Care: Challenging the Deliberate Indifference Standard 921††
Habeas and Hubris ... 797*
Liberal Visions of Freedom of the Press: *Images of a Free Press*; *The Fourth Estate and the Constitution: Freedom of the Press in America*; *Free Speech in an Open Society* (reviewed by Michael J. Gerhardt) ... 1025*
Matching Tests for Double Jeopardy Violations with Constitutional Interests ... 273††
The National Endowment for The Humanities: Control of Funding Versus Academic Freedom ... 455†
The *Payne* of Allowing Victim Impact Statements at Capital Sentencing Hearings ... 1621†
Property and Liberty Reconsidered: *The Guardian of Every Other Right: A Constitutional History of Property Rights* (reviewed by Herman Belz) ... 1015*
Quasi-Constitutional Law: Clear Statement Rules as Constitutional Lawmaking ... 593*
Reconceptualizing Sovereign Immunity ... 1529*

CORPORATE LAW
A Critical Look at Corporate Governance ... 1263*
The Lemonade Stand: Feminist and Other Reflections on the Limited Liability of Corporate Shareholders ... 1387*

CRIMINAL LAW
Agreements for Cooperation in Criminal Cases ... 1*
The Burden of Proving Competence to Stand Trial: Due Process at the Limits of Adversarial Justice ... 199†
Cruel and Unusual Punishment in the Provision of Prison Medical Care: Challenging the Deliberate Indifference Standard 921††
Matching Tests for Double Jeopardy Violations with Constitutional Interests ... 273††
The *Payne* of Allowing Victim Impact Statements at Capital Sentencing Hearings ... 1621†

EDUCATION LAW
Closing the Book on the School Trust Lands ... 1581†
Franklin v. Gwinnett County Public Schools: The Supreme Court Implies a Damages Remedy for Title IX Sex Discrimination ... 1367††
State Constitutional Analyses of Public School Finance Reform Cases: Myth or Methodology? 129†

EMPLOYMENT LAW
Retroactive Application of the Civil Rights Act of 1991 ... 319†
The Death of the Employer: Image, Text, and Title VII ... 349*

ENVIRONMENTAL LAW
The "Sudden and Accidental" Exception to the Pollution Exclusion Clause in Comprehensive General Liability Insurance Policies: The Gordian Knot of Environmental Liability ... 161†

FAMILY LAW
Mandatory Planning for Divorce 397*

FEDERAL COURTS
Habeas and Hubris ... 797*

FEMINISM
The Lemonade Stand: Feminist and Other Reflections on the Limited Liability of Corporate Shareholders 1387*

FIRST AMENDMENT
Barnes v. Glen Theatre, Inc.: Nude Dancing and the First Amendment Question ..... 237††
Liberal Visions of Freedom of the Press: *Images of a Free Press*; *The Fourth Estate and the Constitution: Freedom of the Press in America*; *Free Speech in an Open Society* (reviewed by Michael J. Gerhardt) 1025*

GOVERNMENT
Closing the Book on the School Trust Lands ..... 1581†
Competition Among Municipalities as a Constraint on Land Use Exactions 831*
The National Endowment for The Humanities: Control of Funding Versus Academic Freedom ..... 455†
Reconceptualizing Sovereign Immunity 1529*

HEALTH LAW
Cruel and Unusual Punishment in the Provision of Prison Medical Care: Challenging the Deliberate Indifference Standard 921††
The Disfranchisement of Fertile Women in Clinical Trials: The Legal Ramifications of and Solutions for Rectifying the Knowledge Gap ..... 487††
Medicaid, State Cost-Containment Measures, and Section 1983 Provider Actions Under *Wilder v. Virginia Hospital Association* ..... 877†
The Oregon Basic Health Services Act: A Model for State Reform? ..... 977††
The Pariah Patient: The Lack of Funding for Mental Health Care ..... 951††

JURISPRUDENCE
The Canons of Statutory Construction and Judicial Constraints: A Response to Macey and Miller 673*
The Canons of Statutory Construction and Judicial Preferences 647*
Coalition Formation and the Presumption of Reviewability: A Response to Rodriguez 779*
The Costs of Incoherence: A Comment on Plain Meaning, *West Virginia University Hospitals, Inc. v. Casey*, and Due Process of Statutory Interpretation 687*
The Inevitability of Practical Reason: Statutes, Formalism, and the Rule of Law 533*
The Jurisprudence of Genetics .. 313*
Modern Statutes, Loose Canons, and the Limits of Practical Reason: A Response to Farber and Ross 579*
The Practice and Problems of Plain Meaning: A Response ... 715*
The Presumption of Reviewability: A Study in Canonical Construction and Its Consequences 743*
Prospective Overruling and the Judicial Role After *James B. Beam Distilling Co. v. Georgia* ..... 1345††
Quasi-Constitutional Law: Clear Statement Rules as Constitutional Lawmaking 593*
Where Have You Gone, Karl Llewellyn? Should Congress Turn Its Lonely Eyes to You? 561*

LAW AND ECONOMICS
The Taxation of Nonshareholder Contributions to Capital: An Economic Analysis 1457*

SECURED TRANSACTIONS
Priorities in Accounts: The Crazy Quilt of Current Law and a Proposal for Reform 1061*

TAXATION
The Taxation of Nonshareholder Contributions to Capital: An Economic Analysis 1457*

TORTS
Hypnotic Memories and Civil Sexual Abuse Trials 1185*
The Lemonade Stand: Feminist and Other Reflections on the Limited Liability of Corporate Shareholders 1387*

Reconceptualizing Sovereign Immunity 1529*
TRIAL PRACTICE AND PROCEDURE
Agreements for Cooperation in Criminal Cases 1*
The Burden of Proving Competence to Stand Trial: Due Process at the Limits of Adversarial Justice ..... 199†
Habeas and Hubris 797*
Hypnotic Memories and Civil Sexual Abuse Trials 1185*
The Jurisprudence of Genetics .. 313*
The *Payne* of Allowing Victim Impact Statements at Capital Sentencing Hearings ..... 1621†